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LEGISLATURE OF THE STATE OF IDAHO

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Fifty-third Legislature

Second Regular Session - 1996

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 661

BY STATE AFFAIRS COMMITTEE

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AN ACT

2 RELATING TO THE INFORMATION TECHNOLOGY RESOURCE MANAGEMENT COUNCIL; REPEALING
3 SECTION 67-5745, IDAHO CODE, RELATING TO ADVISORY COUNCILS; AMENDING
4 CHARTER 57, TITLE 67, IDAHO CODE. BY THE ADDITION OF NEW SECTIONS 67-5745,
5 67-5745A, 67-5745C, IDAHO CODE. TO PROVIDE FOR THE CREATION OF
6 THE INFORMATION TECHNOLOGY RESOURCE MANAGEMENT COUNCIL, TO DEFINE THE
7 PURPOSE OF THE COUNCIL, TO DEFINE TERMS, TO IDENTIFY THE MEMBERSHIP OF THE
8 COUNCIL, PROVIDE FOR THE APPOINTMENT AND TERM OF OFFICE FOR MEMBERSHIP OF THE
9 COUNCIL, AND ESTABLISH A RATE OF COMPENSATION FOR THE MEMBERS OF THE
10 COUNCIL, AND TO ESTABLISH THE RESPONSIBILITIES AND DUTIES OF THE COUNCIL;
11 AMENDING SECTION 67-5748, IDAHO CODE. TO AUTHORIZE THE BOARD OF EXAMINERS
12 TO MAKE TRANSFERS REGARDING INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS;
13 AND DECLARING AN EMERGENCY.

14 Be It Enacted by the Legislature of the State of Idaho:

15 SECTION 1. That Section 67-5745, Idaho Code, be, and the same is
16 hereby repealed.

17 SECTION 2. That Chapter 57, Title 67, Idaho Code, be, and the same is
18 hereby amended by the addition thereto of NEW SECTIONS , to be
19 known and designated as Sections 67-5745, 67-5745A, 67-5745B and 67-5745C,
20 Idaho Code, and to read as follows:

21 67-5745. DECLARATION OF PURPOSE. The legislature finds that advances

22 in information technology and telecommunications present significant
23 opportunities for the state of Idaho to improve the efficiency and productivity
24 of state and local government, to promote, develop and diversify its economy,
25 to encourage public access to government information and to enhance lifelong
26 educational and training opportunities. The implications of these information
27 technology and telecommunications advances require a centralized and
28 coordinated strategic planning process involving the expertise and
29 participation of experienced persons from both state and local government and
30 the private sector. The establishment of the information technology resource
31 management council will facilitate a centralized approach to the acquisition
32 and evaluation of necessary technical information and the informed development
33 of a statewide strategic plan to ensure a coordinated approach to the design
34 procurement and implementation of information technology and telecommunications
35 systems for both state government and the public.

36 67-5745A. DEFINITIONS. As used in this chapter:

37 (1) "Information technology" means all present and future forms of
38 computer hardware, computer software and services used or required for
39 automated data processing, computer-related office automation or
40 telecommunications.

41 (2) "State agencies" means all state agencies or departments, boards,

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1 commissions, councils, and institutions of higher education, but shall not
2 include the elected constitutional officers and their staffs, the legislature
3 and its staffs of the judiciary.

4 (3) "Telecommunications" means all present and future forms of
5 hardware, software or services used or required for transmitting voice, data,
6 video or images over a distance.

7 67-5745B. INFORMATION TECHNOLOGY RESOURCE MANAGEMENT COUNCIL --

8 COMPOSITION -- APPOINTMENT AND TERM OF OFFICE -- REIMBURSEMENT -- CONTRACTING

9 FOR NECESSARY SERVICES. (1) An information technology resource management
10 council is hereby created within the department of administration. The council
11 shall consist of sixteen (16) members who shall each serve a term of office of
12 two (2) years. For purpose of the initial appointments, the eight (8) members
13 of the council to be appointed by the governor shall be appointed for a one (1)
14 year term. The governor shall appoint eight (8) members of the council as
15 follows: a chairman, two (2) executive agency officers, an information
16 technology executive from private industry, a public safety official, a state
17 information systems manager, a representative from local government and a
18 representative for rural interests. The remaining membership of the council
19 shall be comprised of the following: two (2) persons appointed by the
20 president pro tempore of the senate and two (2) persons appointed by the
21 speaker of the house of representatives, one (1) from each of the two (2)
22 largest parties, to represent the legislative branch of state government; one
23 (1) person appointed by the chief justice of the supreme court to represent the
24 judicial branch of state government; the state controller, the state
25 superintendent of public instruction; and the executive officer of the state
26 board of education. All appointed members of the council shall serve at the
27 pleasure of the appointing authority.

28 (2) The council shall hold no fewer than four (4) regular meetings
29 annually at such time and place as may be directed by its chairman. The
30 council may meet more frequently at the call of the chairman or if requested by
31 a majority of the council's members. Members of the council shall serve with
32 no salary or benefits, but are entitled to reimbursement as provided in section
33 59-509(b), Idaho Code.

34 (3) The council may contract for professional services or assistance
35 when necessary or desirable to carry out its powers and duties.

36 67-5745C. GENERAL POWERS AND DUTIES OF THE COUNCIL. The council
37 shall:

38 (1) Review and evaluate the information technology and
39 telecommunications systems presently in use by state agencies;

40 (2) Recommend policies and prepare statewide short-range and

41 long-range information technology and telecommunications systems plans to meet
42 the needs of state agencies;

43 (3) Within the context of its strategic plans, establish statewide
44 information technology and telecommunications standards, guidelines and
45 conventions that will assure uniformity and compatibility of such systems
46 within state agencies;

47 (4) Recommend and coordinate the use and application of state
48 agencies' information technology and telecommunications resources;

49 (5) Review and approve large-scale information technology and
50 telecommunications projects for state agencies;

51 (6) Review state agencies' compliance with statewide information
52 technology and telecommunications systems plans;

53 (7) Recommend cost-efficient procedures for state agencies'

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1 acquisition and procurement of information technology and telecommunications
2 systems;

3 (8) Upon request, provide technical expertise to state government and
4 any other governmental entity;

5 (9) Maintain a continuous and comprehensive inventory of information
6 technology and telecommunications systems with state agencies;

7 (10) In accordance with statutes governing the availability or
8 confidentiality of public records and information, established guidelines for the
9 accessing of public information by the public.

10 (11) On the annual basis, publish a report of the activities of the
11 council for provision to the governor and the legislature;

12 (12) Recommend the enactment or promulgation of any statutes or rules
13 necessary to carry out the statewide information technology and
14 telecommunications systems plans;

15 (13) Enter into contracts for professional services and assistance not
16 otherwise available in state government;

17 (14) Encourage and promote the development and growth of the
18 information technology industry in the state in accordance with sound business

19 principles and practices;
20 (15) Encourage and promote cooperative information technology efforts
21 and activities between the state, private enterprise and the public;
22 (16) Encourage and support education and training opportunities
23 relating to information technology and telecommunications; and
24 (17) Perform and additional functions consistent with the purpose of
25 this act which are necessary and appropriate for the proper conduct of the
26 council.

27 SECTION 3. That Section 67-5748, Idaho Code, be, and the same is
28 hereby amended to read as follows:

29 67-5748. TRANSFER OF FUNDS, EQUIPMENT, FACILITIES, AND EMPLOYEES. In
30 order to provide for the orderly implementation of this chapter and to provide
31 an economical, efficient, and effective system of information technology
32 and telecommunications for the state, the board of examiners may order
33 such transfer of appropriated funds, custody and control of equipment and
34 facilities, and employees to the department of administration as may be
35 necessary to carry out the purpose of this act.

36 SECTION 4. An emergency existing therefor, which emergency is hereby
37 declared to exist. this act shall be in full force and effect on and after its
38 passage and approval

Statement of Purpose / Fiscal Impact

STATEMENT OF PURPOSE

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To repeal the existing statute regarding the Advisory Council of Information Technology. To enact new sections 67-5745, 67-5745A, 67-5745B and 67-5745C, Idaho Code, to create the Information Technology Resource Management Council ("Council"). The purpose of the Council is to facilitate a centralized approach to the acquisition and evaluation of necessary technical information so as to effectuate the informed development of a statewide strategic plan to ensure a coordinated approach to the design, procurement and implementation of information technology and telecommunications systems for state

government and the public. To amend sections 67-5748, Idaho Code, to authorize the State Board of Examiners to undertake necessary transfer to resources regarding information technology and telecommunications. To declare an emergency.

FISCAL IMPACT

This legislation will have a slight additional fiscal impact on the general fund for FY96 by reason of the obligation to reimburse certain members of the Council in accordance with Idaho Code § 59-509(b) for actual expenses (lodging, travel, per diem) incurred in the carrying out of the members' duties and responsibilities. Additional fiscal impact may occur if the Council elects to exercise its authority to contract for professional services. The amount of the fiscal impact will be dictated by such matters as the number of location and length of Council meetings and the costs for professional services. These identical fiscal considerations will be applicable to FY97 and future fiscal years. FY96 and future fiscal year expenses will be paid from existing and future appropriations made to the Department of Administration which are subject to the approval of the

Legislature.

Contact

Name: Michael J. Sheeley, Deputy Attorney General

Agency: Department of Administration

Phone: 334-3388

Statement of Purpose/Fiscal Impact

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